



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB0101

Introduced 1/10/2013, by Rep. William Davis

SYNOPSIS AS INTRODUCED:

5 ILCS 140/7.5

205 ILCS 510/4

205 ILCS 510/7

from Ch. 17, par. 4654

from Ch. 17, par. 4657

Amends the Pawnbroker Regulation Act. Provides that the value of things loaned by a person to a pawnbroker shall no longer be included in the memorandum, contract, or note signed by the pawnbroker. Provides that all information provided to law enforcement according to the reporting requirements of a specified provision is confidential and is not subject to disclosure under the Freedom of Information Act. Makes corresponding changes in the Freedom of Information Act. Effective immediately.

LRB098 04899 MGM 34927 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Freedom of Information Act is amended by
5 changing Section 7.5 as follows:

6 (5 ILCS 140/7.5)

7 Sec. 7.5. Statutory Exemptions. To the extent provided for
8 by the statutes referenced below, the following shall be exempt
9 from inspection and copying:

10 (a) All information determined to be confidential under
11 Section 4002 of the Technology Advancement and Development Act.

12 (b) Library circulation and order records identifying
13 library users with specific materials under the Library Records
14 Confidentiality Act.

15 (c) Applications, related documents, and medical records
16 received by the Experimental Organ Transplantation Procedures
17 Board and any and all documents or other records prepared by
18 the Experimental Organ Transplantation Procedures Board or its
19 staff relating to applications it has received.

20 (d) Information and records held by the Department of
21 Public Health and its authorized representatives relating to
22 known or suspected cases of sexually transmissible disease or
23 any information the disclosure of which is restricted under the

1 Illinois Sexually Transmissible Disease Control Act.

2 (e) Information the disclosure of which is exempted under
3 Section 30 of the Radon Industry Licensing Act.

4 (f) Firm performance evaluations under Section 55 of the
5 Architectural, Engineering, and Land Surveying Qualifications
6 Based Selection Act.

7 (g) Information the disclosure of which is restricted and
8 exempted under Section 50 of the Illinois Prepaid Tuition Act.

9 (h) Information the disclosure of which is exempted under
10 the State Officials and Employees Ethics Act, and records of
11 any lawfully created State or local inspector general's office
12 that would be exempt if created or obtained by an Executive
13 Inspector General's office under that Act.

14 (i) Information contained in a local emergency energy plan
15 submitted to a municipality in accordance with a local
16 emergency energy plan ordinance that is adopted under Section
17 11-21.5-5 of the Illinois Municipal Code.

18 (j) Information and data concerning the distribution of
19 surcharge moneys collected and remitted by wireless carriers
20 under the Wireless Emergency Telephone Safety Act.

21 (k) Law enforcement officer identification information or
22 driver identification information compiled by a law
23 enforcement agency or the Department of Transportation under
24 Section 11-212 of the Illinois Vehicle Code.

25 (l) Records and information provided to a residential
26 health care facility resident sexual assault and death review

1 team or the Executive Council under the Abuse Prevention Review
2 Team Act.

3 (m) Information provided to the predatory lending database
4 created pursuant to Article 3 of the Residential Real Property
5 Disclosure Act, except to the extent authorized under that
6 Article.

7 (n) Defense budgets and petitions for certification of
8 compensation and expenses for court appointed trial counsel as
9 provided under Sections 10 and 15 of the Capital Crimes
10 Litigation Act. This subsection (n) shall apply until the
11 conclusion of the trial of the case, even if the prosecution
12 chooses not to pursue the death penalty prior to trial or
13 sentencing.

14 (o) Information that is prohibited from being disclosed
15 under Section 4 of the Illinois Health and Hazardous Substances
16 Registry Act.

17 (p) Security portions of system safety program plans,
18 investigation reports, surveys, schedules, lists, data, or
19 information compiled, collected, or prepared by or for the
20 Regional Transportation Authority under Section 2.11 of the
21 Regional Transportation Authority Act or the St. Clair County
22 Transit District under the Bi-State Transit Safety Act.

23 (q) Information prohibited from being disclosed by the
24 Personnel Records Review Act.

25 (r) Information prohibited from being disclosed by the
26 Illinois School Student Records Act.

1 (s) Information the disclosure of which is restricted under
2 Section 5-108 of the Public Utilities Act.

3 (t) All identified or deidentified health information in
4 the form of health data or medical records contained in, stored
5 in, submitted to, transferred by, or released from the Illinois
6 Health Information Exchange, and identified or deidentified
7 health information in the form of health data and medical
8 records of the Illinois Health Information Exchange in the
9 possession of the Illinois Health Information Exchange
10 Authority due to its administration of the Illinois Health
11 Information Exchange. The terms "identified" and
12 "deidentified" shall be given the same meaning as in the Health
13 Insurance Accountability and Portability Act of 1996, Public
14 Law 104-191, or any subsequent amendments thereto, and any
15 regulations promulgated thereunder.

16 (u) Records and information provided to an independent team
17 of experts under Brian's Law.

18 (v) Names and information of people who have applied for or
19 received Firearm Owner's Identification Cards under the
20 Firearm Owners Identification Card Act.

21 (w) Personally identifiable information which is exempted
22 from disclosure under subsection (g) of Section 19.1 of the
23 Toll Highway Act.

24 (x) Information which is exempted from disclosure under
25 Section 5-1014.3 of the Counties Code or Section 8-11-21 of the
26 Illinois Municipal Code.

1 (y) Information disclosed pursuant to Section 7 of the
2 Pawnbroker Regulation Act.

3 (Source: P.A. 96-542, eff. 1-1-10; 96-1235, eff. 1-1-11;
4 96-1331, eff. 7-27-10; 97-80, eff. 7-5-11; 97-333, eff.
5 8-12-11; 97-342, eff. 8-12-11; 97-813, eff. 7-13-12; 97-976,
6 eff. 1-1-13.)

7 Section 10. The Pawnbroker Regulation Act is amended by
8 changing Sections 4 and 7 as follows:

9 (205 ILCS 510/4) (from Ch. 17, par. 4654)

10 Sec. 4. Every pawnbroker shall, at the time of making any
11 advancement or loan, deliver to the person pawning or pledging
12 any property, a memorandum, contract, or note signed by him or
13 her containing an accurate account and description, in the
14 English language, of all the goods, articles or other things
15 pawned or pledged, the amount of money, ~~value of things loaned~~
16 ~~thereon,~~ the time of pledging the same, the rate of interest to
17 be paid on the loan, the name and residence of the person
18 making the pawn or pledge, and the amount of any fees as
19 specified in Section 2 of this Act.

20 (Source: P.A. 87-802.)

21 (205 ILCS 510/7) (from Ch. 17, par. 4657)

22 Sec. 7. Daily report.

23 (a) Except as provided in subsection (b), it shall be the

1 duty of every pawnbroker to make out and deliver to the sheriff
2 of the county in which such pawnbroker does business, on each
3 day before the hours of 12 o'clock noon, a legible and exact
4 copy from the standard record book, as required in Section 5 of
5 this Act, that lists all personal property and any other
6 valuable thing received on deposit or purchased during the
7 preceding day, including the exact time when received or
8 purchased, and a description of the person or person by whom
9 left in pledge, or from whom the same were purchased; provided,
10 that in cities or towns having 25,000 or more inhabitants, a
11 copy of the such report shall at the same time also be
12 delivered to the superintendent of police or the chief police
13 officer of such city or town. Such report may be made by
14 computer printout or input memory device if the format has been
15 approved by the local law enforcement agency.

16 (b) In counties with more than 3,000,000 inhabitants, a
17 pawnbroker must provide the daily report to the sheriff only if
18 the pawnshop is located in an unincorporated area of the
19 county. Pawnbrokers located in cities or towns in such counties
20 must deliver such reports to the superintendent of police or
21 the chief police officer of such city or town.

22 (c) All information provided to law enforcement according
23 to the reporting requirements of this Section is confidential
24 and is not subject to disclosure under the Freedom of
25 Information Act.

26 (Source: P.A. 90-477, eff. 7-1-98; 90-602, eff. 7-1-98.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.